IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 29TH MAY 2007 / 8TH JYAISHTA 1929

WP(C).No. 16213 of 2007(E)

PETITIONER:

P.PREMKUMAR, `LAKSHMI',
K.K.VISWANATHAN ROAD, KARUVELIPADY,
COCHIN-5.

BY ADV. SRI.K.I.MAYANKUTTY MATHER
SMT.S.LAKSHMY

RESPONDENTS:

---

1. ASSISTANT COMMISSIONER OF INCOME TAX
CENTRAL CIRCLE-II, ERNAKULAM.

2. COMMISSIONER OF INCOME TAX (APPEALS) I,
KOCHI.

3. TAX RECOVERY OFFICER, RANGE I,
ERNAKULAM, KOCHI-18.

BY ADV. SHRI. GEORGE K GEORGE, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 16213 of 2007

Dated, this the 29th day of May, 2007

J U D G M E N T

Heard learned counsel for the petitioner and learned Standing Counsel for the Income Tax Department. Since appeal is pending before the Tribunal and having regard to the contentions raised, there will be stay against recovery of balance tax with interest due as per the impugned order during pendency of the appeal on petitioner remitting Rs. 35 lakhs in two installments, first installment of Rs. 20 lakhs will be paid on or before 30/06/2007 and balance Rs. 15 lakhs will be paid on or before 31/07/2007. Tribunal will take up the appeals and dispose of the same within four months from now. If petitioner does not make payment as above, recovery proceedings can be continued for recovering entire arrears.

This WP(C) is disposed of as above.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg